

## **REMARKS**

The above Amendments and these Remarks are in reply to the Office Action mailed April 17, 2007 and the Examiner Interview of June 21, 2007. Claims 1, 4-7, 11, 13, 17, 20-23, 27 and 28 were pending in the Application prior to the outstanding Office Action. Claims 13 and 28 were amended to better define embodiments of Applicants' invention, and new claims 36-39 were added, leaving for the Examiner's present consideration claims 1, 4-7, 11, 13, 17, 20-23, 27-28, and 36-39. Reconsideration and withdrawal of the outstanding objections and rejections are respectfully requested.

### **I. Summary of Objections and Rejections in the Prior Office Action**

The title of the invention was objected to as being not descriptive.

Claims 13 and 28 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter by including trademarks or trade names.

Claims 1, 4-7, 11, 13, 17, 20-23, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cloud (U.S. Patent No. 6,253,369), in view of Kobayashi et al. (U.S. Patent No. 6,408,323).

### **II. Summary of Applicants' Response**

The title was amended to be even more clearly indicative of the invention to which the claims are directed. Claims 13 and 28 were amended to remove references to trademarks or trade names.

A discussion is presented below explaining why the current claims 1, 4-7, 11, 13, 17, 20-23, and 27-28 are not disclosed by the combination of Cloud and Kobayashi. To expedite prosecution, a further discussion is presented below as to why the prior art references cited in the office action do not disclose new claims 36-39.

### **III. Summary of Examiner Interview of June 21, 2007**

Applicants acknowledge with thanks Examiner Zhen's assistance in granting an interview on June 21, 2007, during the course of which interview various features of the claimed embodiments were discussed, the substance of which is included herein. In

particular, topics discussed included the objection to the title, the objection to claims 13 and 28, new dependent claims 36-39, and the 35 U.S.C. § 103 Rejection of Claim 1. With respect to the 35 U.S.C. § 103 Rejection of Claim 1, it is believed that the Examiner agreed that the cited portions of Cloud and Kobayashi do not disclose the last clause of Claim 1. However, the Examiner explained that he would have to review other portions of Cloud and Kobayashi to see if other portions of the references read upon the last clause of Claim 1.

#### **IV. 35 U.S.C. § 103 Rejection to Claims 1, 4-7, 17, and 20-23**

Claim 1 states:

1. A computer implemented method for preparing a job for execution by a batch job execution system in parallel, comprising:
  - receiving a job from an external source, wherein the job includes a plurality of tasks;
  - selecting a program, subsequent to receiving the job, which includes a declarative part and a procedural part;
  - preparing a batch job by associating the selected program with the job; and
  - transmitting the batch job toward the batch job execution system;
  - wherein the declarative part schedules a plurality of tasks to be performed, identifies data dependencies between individual tasks, and further includes a description of work to be performed, references to resources needed to perform particular tasks, and delegations of authority to access the resources and perform operations;
  - wherein the procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately, in parallel; and
  - wherein the procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed.

Applicants believe that claim 1 clearly distinguishes from Cloud and Kobayashi, alone or in combination, for at least the following reasons. A careful examination of Cloud and Kobayashi reveals numerous features in Claim 1 that are not disclosed by Cloud and Kobayashi, alone or in combination. In particular, neither Cloud nor Kobayashi appear to have both a declarative part and a procedural part. Because many of

the features of Claim 1 depend on the relationships between the declarative part and the procedural part, the combination of Cloud and Kobayashi can not teach those features. For a specific example, Cloud and Kobayashi, alone or in combination, do not disclose that “the procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed”, which is required by claim 1.

Applicants will first explain why Cloud and Kobayashi, alone or in combination, do not disclose that “the procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed”. Support for this feature is found in several parts of Applicants’ specification, including page 18, line 10, through page 19, line 3. Applicants were faced with the problem of how to specify steps to be reliably executed with maximum parallelism when some steps depend upon the output of other steps and when it is not knowable in advance which steps must be executed. The steps that must be executed as part of the job may depend upon the job’s input data and are not knowable in advance. In order to solve this problem, these features of claim 1 require that the procedural part can specify additional steps that must be completed after the procedural part completes but before a task is completed. Thus, even though the procedural part does not know about the scheduling contained in the declarative part, the procedural part can specify additional steps that must be completed after the procedural part itself has completed.

The Office Action cites Cloud col. 10, lines 65 to col. 11, line 6 and col. 11, lines 29-42 for allegedly disclosing these features of claim 1. Yet the cited portions of Cloud do not describe these features. Rather, Cloud col. 11, lines 29-42, describes that “[t]o complete a complex unit of work, the work flow will decompose the message received and invoke several tasks to independently retrieve information from whatever different sources are necessary.” This merely means that Cloud can separate a unit of work into several independent tasks to retrieve information from different sources. Cloud col. 10, lines 65 – col. 11, line 6 describes that “[w]ork flows contain executable objects that together fulfill the requirements of a request.” This merely means that a work flow

contains executable objects that work together to fulfill a request. In summary, the cited portions of Cloud describe a workflow manager that receives a request from a client, the workflow manager contacts multiple back end systems to gather information to build a response, and then the workflow manager sends the response to the original client. It is not understood how these portion of Cloud, individually, or collectively, teach or suggest that the “procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed”. Accordingly, if the Examiner is to maintain this rejection, it is respectfully requested that the Examiner explain in more detail how he interprets Cloud to teach these specific features of the declarative part.

Applicants note, as explained during the Examiner Interview, that the procedural part’s ability to specify “additional steps that must be completed after the procedural part completes” can not be disclosed by a component that simply separates steps into sub-steps, since the sub-steps would be done before such a component completes. Accordingly, it is respectfully asserted that a citation of prior art that discloses a component that can separate steps into sub-steps, is insufficient to disclose that “the procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed”, as is required by claim 1.

The Office Action cites Kobayashi’s col. 5, lines 21-30, for allegedly disclosing that “a procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately in parallel.” Yet the cited lines of Kobayashi discuss programs stored on the hard drive of the system, including action managing software, word processor software, spreadsheet software, database software, and TV conference software, which has nothing to do with logic that enables a system to perform execution of individual tasks separately in parallel.

For at least the reasons set forth above, Applicants respectfully submit that the Claim 1 is not obvious in view of the combination of Cloud and Kobayashi. For at least the reasons discussed above with regard to Claim 1, dependent Claims 4-7 and 36-37 are

also patentable. Additionally, dependent Claims 4-7 and 36-37 add their own features which render them patentable in their own right.

Independent Claim 17 is directed to an apparatus that includes components the perform functions similar to those discussed above with regards to claim 1. Accordingly, for at least similar reasons to those discussed above with regards to claim 1 and its dependent, Applicants assert that claim 1 and its dependent claims 20-23 and 38-39, are also patentable.

## **V. New Dependent Claims 36-39**

Claim 36 states “[t]he method of claim 1, wherein the job is a document conversion job.” Claim 37 states “[t]he method of claim 36, wherein one or more tasks are performed by one or more services offered by one or more service providers.” These claims describe embodiments of applicants’ invention where documents are being converted by services. For example, the procedural part that converts a ZIP file to HTML may uncompress and expand the ZIP file into four other files and return four declarative steps to convert each of these files to HTML. This allows these four new document conversion steps to be scheduled on the next available machine or machines. This enables dynamic determination of job steps without forgoing the analysis and scheduling advantages of having a declarative part.

Neither Cloud nor Kobayashi disclose the features of Claims 36 and 37. Cloud’s invention was directed towards integrating multiple data processing systems together. Kobayashi’s invention was directed towards a system managing jobs that a user performs, such as business trips.

## **VI. 35 U.S.C. § 103 Rejection to Claims 11, 13, and 27-28**

Claim 11 states:

A computer implemented method for preparing and executing a task of a batch job by a batch job execution system, comprising the steps of:  
receiving the task of the batch job which is to be executed by a service provider;  
making a call to start a session with a remote platform, in response to receiving the task;

making a call to put, subsequent to making a call to start a session, which transfers at least a portion of the information in the task to be executed to the remote platform;

making a call to convert, subsequent to making a call to put, which instructs the remote platform to perform a function on the information transferred to the remote platform;

making a call to get, subsequent to making a call to convert, which retrieves the converted information from the remote platform;

repeating each step of making a call to put, convert and get until the task is completed; and,

making a call to end the session with the remote platform;

wherein each of the above steps are performed by the service provider; and

wherein the step of making a call to start a session further comprises creating a unique address which identifies the session; and the step of making a call to end the session terminates the unique address.

Claim 11 requires that “the step of making a call to start a session further comprises creating a unique address which identifies the session; and the step of making a call to end the session terminates the unique address.” The Office Action cites Cloud col. 20, lines 37-45, and Kobayashi, col. 7, lines 5-23, for allegedly disclosing “creating a unique address which identifies the session” and cites Cloud col.8, lines 10-24, for allegedly disclosing “making a call to end the session terminates the unique address.” However, none of the cited portions actually teach these features. The cited portion of Cloud describes a workflow debugger. The cited portion of Kobayashi describes how an action name specifies execution of a particular program. Neither Cloud nor Kobayashi mentions “creating a unique address which identifies the session,” nor do they even mention a unique address. Because Cloud and Kobayashi do not have the concept of a unique address to identify the session, they do not subsequently disclose that “a call to end the session terminates the unique address.”

Applicants respectfully submit that the embodiment as defined in Independent Claim 11 is neither anticipated by nor obvious in view of the combination of Cloud and Kobayashi. For at least the reasons discussed above with regard to Claim 11, dependent Claim 13 is also patentable. Dependent Claim 13 adds its own features which renders it patentable in its own right.

Independent Claim 27 is directed to an apparatus that includes components that perform similar features those claimed in claim 11. Accordingly, Applicants respectfully assert that independent claim 27, and its dependent claim 28 are also patentable for similar reasons the reasons to those discussed above with regards to claim 11 and 13.

## **VII. Conclusion**

In light of the above, it is respectfully requested that all outstanding rejections and objections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

No fee is believed due in connection with this paper. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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